



Report to the Auburn City Council

Action Item

4

Agenda Item No.

City Manager's Approval

To: Mayor and City Council
From: Bernie Schroeder, Director of Public Works *BS*
By: Carie Huff, P.E., Associate Civil Engineer *CH*
Date: September 10, 2012
Subject: 695 Dairy Road – Acceptance of Public Improvements, Dedication of Right-of-Way and Pedestrian Access Easement

The Issue

Shall the City of Auburn accept the public improvements, the right-of-way dedication and the pedestrian access easement associated with the Lancaster development at 695 Dairy Road?

Conclusions and Recommendation

Staff recommends that the City Council, by **RESOLUTION**, authorize the Director of Public Works to accept the public improvements, the right-of-way dedication and pedestrian access easement associated with the development at 695 Dairy Road (APN 054-022-045-000) on behalf of the City of Auburn.

Background

The Auburn Planning Commission approved the Lancaster Residential Care Facility located at 695 Dairy Road in January of 2009. The Lancaster Residential Care Facility is a 6,600 square foot care facility for the elderly with parking and landscaping. The project was conditioned to provide public improvements along the Dairy Road property frontage including new curb, gutter and a separated sidewalk. Additional requirements included the widening of Dairy Road and the dedication of associated right-of-way. The Lancasters have provided the documentation prepared by a licensed surveyor for the dedication of right-of-way described to the back of curb along with a pedestrian access easement for the separated sidewalk. Maintenance of the landscape area between the back of curb and the separated sidewalk is the responsibility of the property owners. The public improvements have been constructed to City of Auburn standards.

Alternatives Available to Council; Implications of Alternatives

The Lancasters have paid all of the necessary fees and met all of the conditions of approval; therefore, acceptance is appropriate.

Fiscal Impact

There is no fiscal impact.

Attachments:

Dedication of Right-of-Way and Pedestrian Access Easement with Descriptions
Resolution – Acceptance of Improvements/Right-of-Way

Project Name

Recording Requested by and
when recorded return to City of
Auburn Office of the City Clerk

Space for Recorder

City of Auburn

Department of Public Works

DEDICATION OF RIGHT OF WAY

And

PEDESTRIAN ACCESS EASEMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, H.C. LANCASTER AND THERESE M. LANCASTER, HUSBAND AND WIFE, AS JOINT TENANTS

the undersigned GRANTOR(S), HEREBY GRANTS TO CITY THE OF AUBURN, a political subdivision of the State of California, a land dedication for road purposes and a pedestrian easement upon, over, and across that certain real property in the City of Auburn County of Placer, State of California, bounded and described below. (Any and all interest in the property conveyed by grantor to the City of Auburn pursuant to this instrument runs with the land and is binding on the heirs, assigns and successors of the grantor).

See Exhibit "A"
See Exhibit "B"
See Exhibit "C"

DEDICATION OF RIGHT OF WAY
PEDESTRIAN ACCESS EASEMENT
PLAT

GRANTOR(S)

Dated this _____ Day of _____

H.C. Lancaster

Dated this _____ Day of _____

Therese M. Lancaster

GRANTEE

Trustee/Beneficiary _____

City of Auburn

Recording Reference _____

Exhibit "A"
Legal Description
Dedication Right of Way

A portion of Parcel "A" as shown on Parcel Map No. 72366, Filed in Book 12 of Parcel Maps at Page 75, Placer County Records, in Section 3, Township 12 North, Range 8 East, Mount Diablo Meridian, County of Placer, State of California, described as follows:

Beginning at a point on the North line of said Parcel "A" from which the northeast corner thereof bears, North 67° 05' 00" East 16.26 feet;

Thence from said **Point of Beginning**, along said North line, North 67° 05' 00" East 16.26 feet to the northeast corner of said Parcel "A".

Thence along the East line said Parcel "A" the following two courses:

1. South 29° 45' 38" East 196.92 feet;
2. South 26° 30' 38" East 180.25 feet to the southeast corner of said Parcel "A";

Thence, along the South line of said Parcel "A", South 88° 00' 22" West 15.44 feet;

Thence departing said South line along the following three courses;

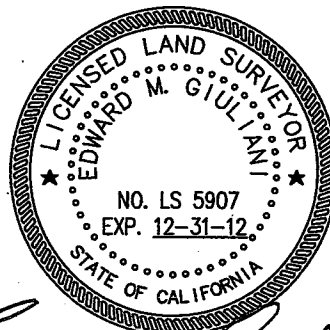
1. North 28° 26' 51" West 108.16 feet;
2. North 28° 56' 42" West 128.91 feet;
3. North 28° 18' 18" West 134.64 feet to the **Point of Beginning**.

The herein described area contains 6,679 square feet, more or less.

Affecting a portion of APN 054-022-045-000

The herein described area depicted graphically on Exhibit "C" attached hereto and made a part hereof.

End of Description



Edward M. Giuliani 8.29.12

Exhibit "B"
Legal Description
Pedestrian Access Easement

An easement for pedestrian purposes over a portion of Parcel "A" as shown on Parcel Map No. 72366, Filed in Book 12 of Parcel Maps at Page 75, Placer County Records, in Section 3, Township 12 North, Range 8 East, Mount Diablo Meridian, County of Placer, State of California, described as follows:

Beginning at a point on the North line of said Parcel "A" from which the northeast corner thereof bears, North 67° 05' 00" East 16.26 feet;

Thence from said **Point of Beginning**, departing said North line, along the following three courses:

1. South 28° 18' 18" East of 134.64 feet;
2. South 28° 56' 42" East of 128.91 feet;
3. South 28° 26' 51" East of 108.16 feet to a point on the South line of said Parcel "A";

Thence, along the South line of said Parcel "A", South 88° 00' 22" West 14.41 feet;

Thence departing said South line, North 28° 35' 27" West 366.55 feet to a point on the North line of said parcel "A";

Thence, along said North line, North 67° 05' 00" East 13.09 feet to the **Point of Beginning**.

The herein described area contains 4,728 square feet, more or less.

Affecting a portion of APN 054-022-045-000

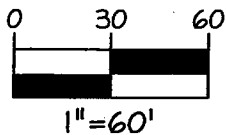
The herein described area depicted graphically on Exhibit "C" attached hereto and made a part hereof.

End of Description



Edward M. Giuliani 8.29.12

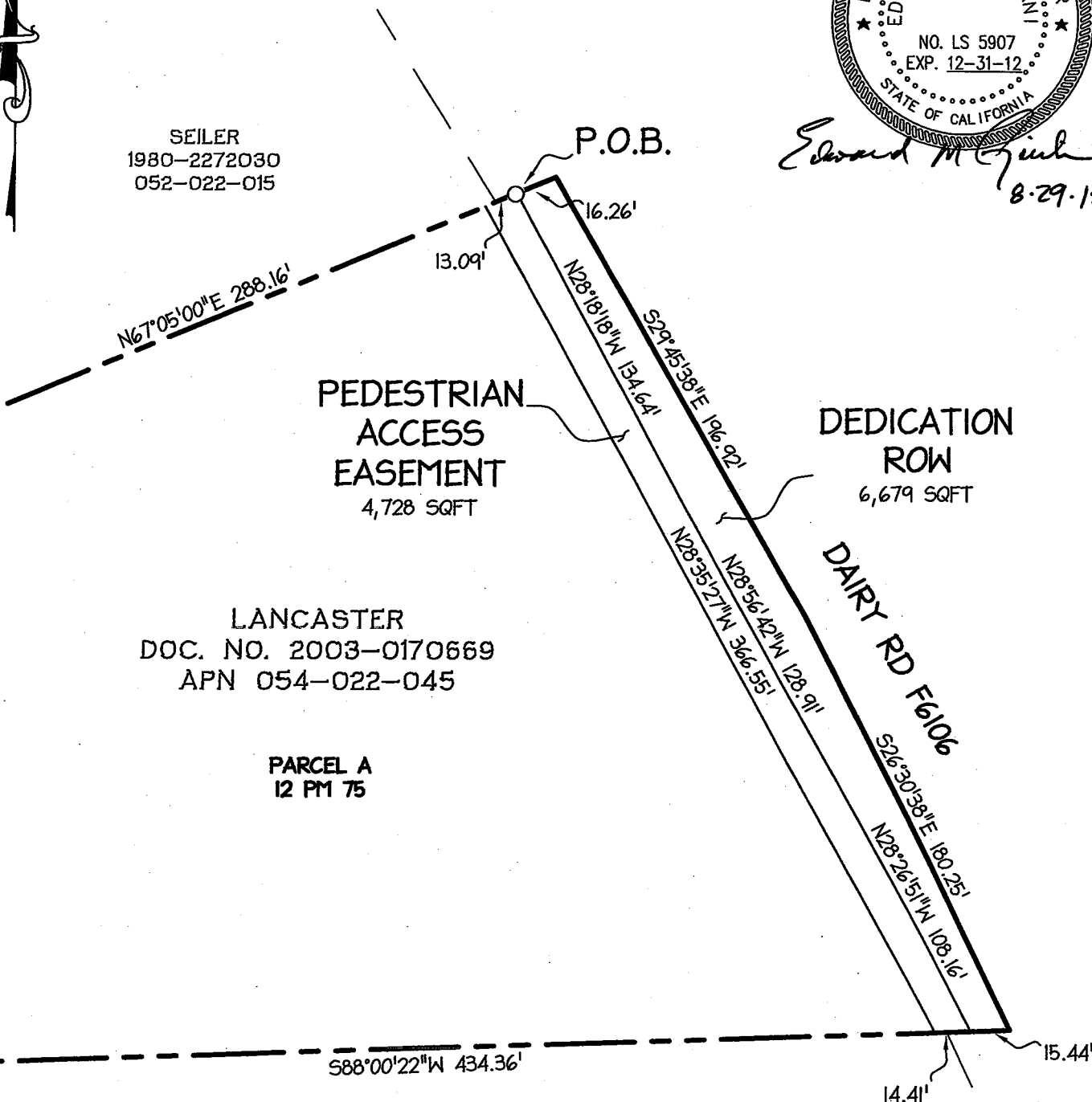
EXHIBIT "C"



Edward M. Giuliani
8.29.12

SEILER
1980-2272030
052-022-015

P.O.B.



SHEET NO 2 OF 2



Giuliani & Kull, Inc.

Engineers • Planners • Surveyors

500 Wall Street, Suite A, Auburn, CA 95603

(530) 885-5107 Fax (530) 885-5157

Auburn • San Jose • Oakdale

SCALE: 1"=60'

DATE: AUG 23, 2012

DRAWN: PD

CHECKED: EG

DWG NO: M12191PL1

JOB NO: 12191

**PLAT TO ACCOMPANY
LEGAL DESCRIPTION
CITY OF AUBURN
PLACER COUNTY, CA**

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RESOLUTION NO. 12-
695 DAIRY ROAD – ACCEPTANCE OF PUBLIC IMPROVEMENTS,
ACCEPTANCE OF RIGHT-OF-WAY AND PEDESTRIAN ACCESS EASEMENT

THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY RESOLVE:

That the City Council of the City of Auburn does hereby authorize the Director of Public Works to accept the public improvements, the right-of-way dedication and the pedestrian access easement associated with the Lancaster development at 695 Dairy Road (APN 054-022-045-000) on behalf of the City of Auburn.

A true and correct copy of said right-of-way description and pedestrian access easement with plat are attached hereto as Exhibit A, Exhibit B and Exhibit C.

DATED: _____, 2012

Kevin Hanley, Mayor

ATTEST:

Joseph G. R. Labrie, City Clerk

I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify that the foregoing resolution was duly passed at a regular meeting of the City Council of the City of Auburn held on the 10th day of September 2012 by the following vote on roll call:

Ayes:
Noes:
Absent:

Joseph G. R. Labrie, City Clerk